IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.246 OF 2007
IN
APPEAL NO. 212 OF 2007
IN
SESSIONS CASE NO.8908 OF 2006

Thomas Tangapan Shettiyar .. Applicant
v/s.
The State of Maharashtra .. Respondent

Ms. Shakuntala Wadekar for the applicant.
Ms. V.R. Bhonsale, Addl. Public Prosecutor for the State.

CORAM : J. H. BHATIA, J.
DATED : 9TH APRIL, 2007

P.C.

Heard Ms. Shakuntala Wadekar, the learned counsel for the applicant and Ms. V.R. Bhonsale, the learned A.P.P.

2. The applicant was convicted for the offences punishable under sections 170, 392 and 365 I.P.C. And the maximum sentence of R.I. for five years with fine was imposed for the offence of robbery under section 392 I.P.C. Sentence on all the three counts is to run concurrently. The applicant has preferred an appeal against the conviction and sentence. The appeal is admitted. By this application, the applicant seeks to be released on bail pending final hearing and disposal of the appeal.

3. It appears that two foreigners while going towards Airport by a

taxi were robbed of an amount of Rs.7 or 8 lakhs. One of the robbers ran away. The passenger and a taxi driver chased when the present applicant was arrested. During the trial, he was on bail. The learned counsel for the applicant points out that the complainant was not examined before the court to prove the robbery and that the present applicant was one of the robbers.

4. Taking into consideration the circumstances, the applicant be released on bail on the same terms and conditions as before the trial court subject to fresh bail bonds and depositing the fine amount.

(J.H. BHATIA, J.)